

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

HERBERT S. POWELL,

Defendant.

Criminal Action No.: 03-187 (JLL)

ORDER

This matter having come before the Court by way of an application for writ of error coram nobis filed by Defendant Herbert S. Powell on June 14, 2011; and the Court finding that:

1. Defendant Powell filed an identical application for writ of error coram nobis on April 13, 2011, which this Court denied by way of its Order dated April 25, 2011 (CM/ECF No. 139);
2. Defendant Powell now indicates that he never received a copy of the Court's April 25 Order;
3. Defendant Powell appears to have changed his address, but has failed to alert the Clerk of such change;
4. Based on his recent submissions, Defendant Powell's new address appears to be:

Herbert S. Powell
Reg. No.: J201 004 731
Essex County Dept. of Correction
354 Doremus Avenue
Newark, NJ 07105

5. This Court's April 25 Order denied Defendant's Powell's previous application for writ of error coram nobis because he was currently incarcerated. (See CM/ECF No. 139.) Defendant Powell's submissions in connection with the instant application for coram nobis relief continue to indicate that he is currently incarcerated. (See CM/ECF No. 142.)

Accordingly IT IS on this 20 day of June, 2011,

ORDERED that Defendant Powell's application for writ of error coram nobis (CM/ECF No. 142) is DENIED as moot; and it is further

ORDERED that the Clerk shall update Defendant Powell's mailing address to the address set forth above; and it is further

ORDERED the Clerk shall send by certified mail a copy of this Court's April 25, 2011 Order (CM/ECF No. 139) and a copy of this Order to Defendant Powell at the address set forth above.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'J. Linares', is written over a horizontal line.

JOSE L. LINARES
UNITED STATES DISTRICT JUDGE